

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION)	MDL NO. 2804
)	
)	Case No. 1:17-md-2804
THIS DOCUMENT RELATES TO:)	
)	JUDGE DAN AARON POLSTER
<i>Track Nine: Cobb County, Georgia</i>)	
Case No. 1:18-op-45274-DAP)	
)	
Tarrant County, Texas)	
)	
<i>Plaintiff,</i>)	
)	
v.)	
)	
Purdue Pharma, L.P., et al.,)	
)	
<i>Defendants.</i>)	
_____)	

**NOTICE OF FILING REDACTED/UNREDACTED VERSIONS OF PLAINTIFF
TARRANT COUNTY’S OPPOSITION TO ALBERTSONS DEFENDANTS’ MOTION
FOR SUMMARY JUDGMENT AND EXHIBITS THERETO**

The Plaintiffs’ Executive Committee (“PEC”) hereby provides notice of, and files into the public record, un-redacted versions of Plaintiff Tarrant County’s Opposition to Albertsons Defendants’ Motion for Summary Judgment,¹ and exhibits 4-6, 9, 11-16, 18, 20-21, 23, and 25-63 attached thereto, along with redacted versions of exhibits 1, 2, 3, 7, 8, 10, 17, 19, 22, and 24 attached thereto, as follows:

¹ On August 9, 2024, the Albertsons Defendants filed their motion for summary judgment and memorandum in support thereof. *See* dkt. nos. 5585, 5587. On October 10, 2024, Plaintiff Tarrant County served its opposition to the Albertsons Defendants’ motion for summary judgment (including exhibits 1-63), and filed its notice of service of its supporting memorandum and exhibits 1-63 attached thereto. *See* dkt. nos. 5677, and 5677-1. The instant notice of filing redacted/unredacted versions relates to those filings.

Exhibit 1: 8/10/2023 Deposition of Albertsons 30(b)(6) - Anthony Provenzano, with redactions to deposition pages/lines: 84:10, 18-19; 87:20-21; 88:8-9.

Exhibit 2: 2018 Albertsons' Controlled Substance Training PowerPoint (a/k/a Ex. 6 to the 8/10/2023 Videotaped Deposition of Albertsons 30(b)(6) - Anthony Provenzano), with limited redactions on PDF pages: 6-9, 13-14, 19, 28, and 35-36.

Exhibit 3: 5/23/2024 Deposition of Carmen A. Catizone, MS, RPh, DPh, with redactions to deposition pages/lines: 189:9; 210:18, 21.

Exhibit 7: Excerpts from CT9 Expert Report of Anna Lembke, M.D., with a limited redaction on PDF page 20.

Exhibit 8: 7/19/2023 Deposition of David Hicks, with redactions to deposition pages/lines: 81:1, 5-6; 82:2, 9, 18, 22, 24; 83:9; 84:2-3; 85:1, 20; 86:2-3, 14, 20; 87:6-7, 18, 24; 89:11, 15, 18, 24; 91:25; 92:5, 9, 15.

Exhibit 10: 7/12/2023 Deposition of Scott Johnson, with redactions to deposition pages/lines: 83:14-20; 84:24-25; 85:9-13.

Exhibit 17: 5/30/2024 Deposition of Joseph T. Rannazzisi, with redactions to deposition pages/lines: 153:7; 154:13.

Exhibit 19: 7/18/2023 Deposition of Donald Bowman, with redactions to deposition pages/lines: 50:9-10; 51:25; 52:1.

Exhibit 22: 7/23/2018 email to Don Bowman re: "Fraud" (ALB-MDLCT9-00122497) with a limited redaction on PDF p. 2.

Exhibit 24: 3/1/2019 email chain between David Hicks, Jordan Jones and others re: "4290 Rx Issues" (ALB-MDLCT9-00073285), with limited redactions on PDF pp. 2-5.

As a result of the PEC's confidentiality challenges, meet and confers between Albertsons and the PEC, and confirmation from Special Master Cohen regarding the validity of the above redactions,² the attached October 10, 2024 Plaintiff Tarrant County Opposition to Albertsons Defendants' Motion for Summary Judgment, and exhibits 4-6, 9, 11-16, 18, 20-21, 23, and 25-63

² On October 29, 2024, Special Master Cohen confirmed (via email) that the joint proposed redactions as outlined herein were approved and that Tarrant County's October 10, 2024 opposition to Albertsons' motion for summary judgment (including the memorandum and exhibits related thereto) could be filed on the docket with only the very limited redactions to exhibits 1, 2, 3, 7, 8, 10, 17, 19, 22 & 24, as set forth herein.

can be and are hereby filed publicly without redactions, and exhibits 1, 2, 3, 7, 8, 10, 17, 19, 22, and 24 can be and are hereby filed publicly with redactions as described above.

Dated: October 30, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of October, 2024, I have electronically filed the foregoing with the Clerk of Court using the CM/ECF System. Copies will be served upon counsel of record by, and may be obtained through, the Court's CM/ECF System.

s/Peter H. Weinberger

Peter H. Weinberger